CASE 47-19658/A

CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Assistant Commissioner for Patents, Washington, D.C. 20231.

Stephen G. Kalinchak

Type or print name

Art Unit: 1615

Examiner: R. Bawa

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF

BRUGGER ET AL.

APPLICATION NO: 08/288

FILED: August 10, 1994

FOR: AN AEROSOL CONTAINER AND A METHOD FOR STORAGE AND

ADMINISTRATION OF A PRE-DETERMINED AMOUNT OF A

PHARMACEUTICALLY ACTIVE AEROSOL

Assistant Commissioner for Patents Washington, D.C. 20231

NOTICE OF APPEAL

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the Office Action dated October 28, 1999 finally rejecting claims 2-15.

Please charge Deposit Account No. 19-0134 in the name of Novartis Corporation in the \boxtimes amount of \$300 for payment of the appeal fee. An additional copy of this paper is here enclosed. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Account No. 19-0134 in the name of Novartis Corporation.

The appeal fee was paid in a previous appeal herein. The examiner re-opened prosecution prior to any decision by the Board of Patent Appeals and Interferences. No fee is now due.

08288415 00000028 190134 02/08/2000 SARAYA

01 FC:119 300.00 CH

Enclosed is a Petition for Extension of Time.

Respectfully submitted,

Novartis Corporation Patent and Trademark Dept. 564 Morris Avenue Summit, NJ 07901-1027 (908) 522-6763

Date: 1/28/00

Stephen G. Kalinchak Attorney for Applicants Reg. No. 38,747